



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,715	06/12/2006	Jouko Urpolahi	P08946US00/DEJ	7526

881	7590	09/04/2007
STITES & HARBISON PLLC 1199 NORTH FAIRFAX STREET SUITE 900 ALEXANDRIA, VA 22314		

EXAMINER	
MERLINO, ALYSON MARIE	

ART UNIT	PAPER NUMBER
3676	

MAIL DATE	DELIVERY MODE
09/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/582,715	Applicant(s) URPOLAHTI, JOUKO	
	Examiner Alyson M. Merlino	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12 June 2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - a. On page 3, line 4, the phrase "or glass sheets" or a variation thereof should be added to the line to clarify that the elements 1-3 are glass sheets since they are referred to that later in that paragraph.
 - b. On page 3, line 24, the reference character 4 should be 14.
 - c. On page 3, lines 28-29, the phrase "the thinning spot is on the line of pin 11" should be changed to "the thinning spot is aligned with pin 11" for clarification. Any other discussions of the alignment of the thinning section of the pin 12 with pin 11 should be referred to as such, since it is not clear what "line" of the pin applicant is referring to in the specification.
2. The specification appears to be a literal translation of a foreign text and is replete with confusing language, such as the first full paragraph on page 4. The specification should be thoroughly reviewed and amended to clearly discuss applicant's device.

Appropriate correction is required.

Claim Objections

3. **Claims 1-4 are objected to** because of the following informalities: Within all the claims, it is suggested that the reference characters be removed.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 3676

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 1-4 are rejected** under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

6. Specifically, the language in the claims is confusing; such as the phrase "the last brought element" in claim 1 and the phrase "the direction of its position." It is strongly recommended that the claims be thoroughly reviewed and the language be amended to clearly claim applicant's device. Furthermore, the claims do not use consistent terminology for the components when the reference characters are not considered. For example, it is unclear whether the "counter hole" in claim 1 is the "loose or oblong hole" of claim 2. For this instance specifically, the "counter hole" of claim 1 will be considered as a separate characteristic of applicant's device from the "loose or oblong hole" of claim 2. The instances of indefinite language within the claims are not limited to the occurrences discussed above.

7. The claims are replete with instances of insufficient antecedent basis; such as claim 1 recites the limitation "the part" in line 4 of the claim. There is insufficient antecedent basis for this limitation in the claim. It is strongly recommended that the claims be thoroughly reviewed for all instances of insufficient antecedent basis.

8. In view of the preceding rejection, the claims will be given a broad and as best understood interpretation since the language within the claims is not clear.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. **Claims 1-4 (as best understood) are rejected** under 35 U.S.C. 102(b) as being anticipated by Kordes et al. (US-6108989).

11. **In regards to claim 1**, Kordes et al. discloses a foot bolt including a pin 21 in a base 7 for locking an element 2, with the pin fitting in a hole (opening surrounding pin, Figure 2) in the base. Kordes et al. further discloses a counterpart (portion to receive pin portion 18, Col. 5, lines 3-9) in a second element (Col. 5, lines 3-9) beside the first element, in which the counterpart can be fitted so as to interlock adjacent elements (Figure 1). Kordes et al. discloses that a pushing can occur to open the locking of the first element to the base (apparent from Figures 1-3 and Col. 5, lines 3-9).

12. Kordes et al. further discloses that the pin 21 is intended to be manually pressed (pressed through manual actuation of pin 11, 18, Col. 5, lines 3-9) in the hole, and that the foot bolt includes a locking/releasing pin 11, 18 which is fitted to lock pin 21 in a position pressed in the hole of the base (Figure 3). The pin includes a bracket 12 directed towards the second element (dimension of bracket from centerline near reference character 12 towards the second element, Figure 2), with a counter hole (hole near reference character 16, Figure 2) in the counterpart of the second element used for interlocking, and the locking/releasing pin is arranged to stick out from an edge of the

first element (Figure 2) so that it can close the first and second element beside one another. Kordes et al. also discloses that the locking/release pin can be pushed into a pin releasing position, allowing the pin 21 to be moved through the use of a spring 14 from the hole in the base when the second element is removed (Col. 5, line 65-Col. 6, line 5).

13. **In regards to claim 2**, Kordes et al. discloses a loose or oblong hole 28 for the bracket so that while the first element is pushing the locking/releasing pin, the locking/releasing pin moves into a position that releases pin 21 and allows it to slightly rise (Col. 5, line 10-Col. 6, line 5). Kordes et al. further discloses that in turn the locking/releasing pin moves into a pin releasing position to a maintaining stage wherein removal of the first element moves the bracket and pin 21 to a released position (Col. 5, line 10-Col. 6, line 5).

14. **In regards to claim 3**, Kordes et al. discloses that the path of the locking/releasing pin is arranged to partly cut the path of the pin (Figure 2), and the locking/releasing pin also includes a thinning (portion 11, Figure 2), which is outside the path of the pin (apparent from Figure 2).

15. **In regards to claim 4**, Kordes et al. discloses that the foot bolt body and pins are placed in a backside of the first element when viewing the element in the direction of its position (apparent from Figures 1 and 2).

16. **Claims 1-4 (as best understood) are rejected** under 35 U.S.C. 102(b) as being anticipated by Buck, Jr. et al. (US-3768847).

Art Unit: 3676

17. **In regards to claim 1**, Buck, Jr. et al. discloses a foot bolt including a pin 59 in a base 20 for locking an element 22, with the pin fitting in a hole (opening surrounding pin, Figure 5) in the base. Buck, Jr. et al. further discloses a counterpart 97 in a second element 23 beside the first element, in which the counterpart can be fitted so as to interlock adjacent elements (Figure 3). Buck, Jr. et al. discloses that a pushing can occur to open the locking of the first element to the base (Col. 4, lines 48-54).

18. Buck, Jr. et al. further discloses that the pin 59 is intended to be manually pressed (pressed through manual movement of elements together towards position in Figure 3) in the hole, and that the foot bolt includes a locking/releasing pin 76 which is fitted to lock pin 59 in a position pressed in the hole of the base (Figure 3). The pin includes a bracket 45 directed towards the second element (dimension of bracket from end near reference character 70 towards the second element, Figure 5), with a counter hole 99 in the counterpart of the second element used for interlocking, and the locking/releasing pin is arranged to stick out from an edge of the first element (Figure 3) so that it can close the first and second element beside one another (Figure 3). Buck, Jr. et al. also discloses that the locking/release pin can be pushed into a pin releasing position (position shown in Figure 5), allowing the pin 59 to be moved through the use of a spring 66 from the hole in the base when the second element is removed (apparent from movement between Figures 3 and 4).

19. **In regards to claim 2**, Buck, Jr. et al. discloses a loose or oblong hole (hole surrounding bracket near reference character 44, Figure 3) for the bracket so that while the first element is pushing, the locking/releasing pin moves into a position that releases

pin 59 and allows it to slightly rise (movement between Figures 3 and 5). Buck, Jr. et al. further discloses that in turn the locking/releasing pin moves into a pin releasing position to a maintaining stage wherein removal of the first element moves the bracket and pin 59 to a released position (Figure 5).

20. **In regards to claim 3**, Buck, Jr. et al. discloses that the path of the locking/releasing pin is arranged to partly cut the path of the pin (Figures 3 and 5), and the locking/releasing pin also includes a thinning 82, which is outside the path of the pin (outside path of pin when in released position, Figure 4).

21. **In regards to claim 4**, Buck, Jr. et al. discloses that the foot bolt body and pins are placed in a backside of the first element when viewing the element in the direction of its position (apparent from Figures 1 and 2).

Conclusion

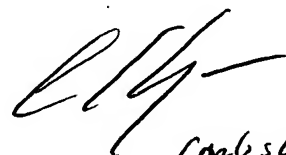
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alyson M. Merlino whose telephone number is (571) 272-2219. The examiner can normally be reached on Monday through Friday, 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Gay can be reached on (571) 272-7029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3676

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AMM
August 30, 2007


Carlos Lopez
Primary Examiner
AU 3676